

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL WARREN and EVELYN WARREN,

Plaintiffs,

-against-

**PROPOSED SPECIAL
INTERROGATORIES –
QUALIFIED IMMUNITY**

08-CV-3815 (ARR) (RER)

THE CITY OF NEW YORK, et al.,

Defendants.

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Defendants respectfully submit the following proposed special interrogatories to be submitted to the jury in the event that liability is found against one or more individual defendants, in order to enable the Court to determine whether any defendant is entitled to qualified immunity:

1. Did defendant Steven Talvy punch Michael Warren in the face more than one time?

Yes _____ No _____

2. Did defendant Steven Talvy punch or strike Evelyn Warren at any time?

Yes _____ No _____

3. Did defendant Steven Talvy punch or strike Michael Warren after Mr. Warren was removed from his vehicle?

Yes _____ No _____

4. Did Michael Warren place himself between Steven Talvy and other officers who were attempting to place Fred Moody under arrest?

Yes _____ No _____

5. Did Michael Warren say to police officers, at any time, "You can't do that," in words or substance?

Yes _____ No _____

6. Did Michael Warren say to police officers, at any time, "I'm a lawyer," in words or substance?

Yes _____ No _____

7. Did Michael Warren use any obscene language, at any time, during the incident?

Yes _____ No _____

8. Was a crowd of more than ten (10) persons present at the scene of the incident, at or about the time that Michael Warren was placed under arrest?

Yes _____ No _____

9. Was a crowd of more than ten (10) persons present at the scene of the incident, at or about the time that Evelyn Warren was placed under arrest?

Yes _____ No _____

10. Did Evelyn Warren grab her driver's license out of Officer Maribel Sarante's hand?

Yes _____ No _____

11. Did Evelyn Warren physically put her arms around Michael Warren while Sgt. Talvy attempted to remove Michael Warren from his vehicle?

Yes _____ No _____

Dated: New York, New York
May 11, 2012

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By: /s/
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TO: All Counsel (by ECF)